

### **Remarks**

This amendment is in response to the Office Action mailed November 7, 2006.

Claims 2-5 and 7-8 have been deleted from this application. Claims 1 and 12 have been amended and remain in this application. Claims 6, 9-11, and 13-23 remain in this application.

Claims 1-23 are subject to election under 35 U.S.C. 121 as being non-generic. Claims 1 and 12 have been amended to provide a generic claim.

Claim 12 has also been noted as confusing and has been amended.

Claims 12 and 1 have been amended to provide a generic claim. Claim 12 has been amended to specify a uniform shape comprising at least one at least finger-sized pre-selected portion that is excluded. Claim 1 has been amended to be dependent on claim 12 and to specify a pre-selected portion that comprises at least one hole. This clarifies the meaning of claim 12 and provides a generic claim, and therefore, withdrawal of the requirement to elect a species is respectfully requested.

Claims 2-5 and 7-8 are canceled from the application. Since claims 2-5 and 7-8 are now dependent on claim 12, they are canceled from this application.

In view of the above reasons, it is submitted that claims 1-23 are a single disclosed species and the applicant respectfully requests an early prosecution of the application.

Respectfully submitted,



Charles Romaniuk

What is claimed is:

1. (Currently Amended) A chip-type snack product of claim 12 wherein said pre-selected portion comprises at least one hole.
2. (Canceled).
3. (Canceled).
4. (Canceled).
5. (Canceled).
6. (Original) A chip-type snack product of claim 1 wherein said at least one hole is centrally located.
7. (Canceled).
8. (Canceled).
9. (Original) A chip-type snack product of claim 1 wherein said at least one hole is at least 1 cm in diameter.
10. (Original) A chip-type snack product of claim 1 wherein said at least one hole is at least 1 cm in width.
11. (Original) A chip-type snack product of claim 1 wherein said at least one hole is at least 1 cm in length.
12. (Currently Amended) A chip-type snack product of substantially uniform thickness comprising a uniform shape further comprising at least one at least finger-sized pre-selected portion of said uniform shape wherein said pre-selected portion is excluded.
13. (Original) A chip-type snack product of claim 12 wherein a shape of said pre-selected portion is selected from a group comprising circular, elliptical, triangular, rectangular, polygonal, and non-geometrical.
14. (Original) A chip-type snack product of claim 12 wherein said chip-type snack product comprises at least one axis of symmetry.
15. (Original) A chip-type snack product of claim 12 wherein said pre-selected portion comprises at least one notch.
16. (Original) A chip-type snack product of claim 12 wherein said pre-selected portion is the approximate size of a human adult fingertip.

17. (Original) A chip-type snack product of claim 12 wherein said pre-selected portion is the approximate size of the diameter of a human adult finger.
18. (Original) A chip-type snack product of claim 12 wherein said pre-selected portion comprises an area of at least 1 cm<sup>2</sup>.
19. (Original) A method of forming a chip-type snack product wherein an at least finger-sized pre-selected portion of said chip-type snack product is excluded.
20. (Original) A method of claim 19 wherein said method comprises a shaping step.
21. (Original) A method of claim 20 wherein said shaping step further comprises excluding said pre-selected portion.
22. (Original) A method of claim 19 wherein said method comprises a removal step.
23. (Original) A method of claim 19 wherein said method comprises a forming step.